

(Use as many sheets as necessary)

Application Number	10/578,512
371 (c) Date	April 5, 2007
First Named Inventor	Christian FUNKE
Art Unit	1616
Examiner Name	Pak, John D.
Attorney Docket Number	2400.0370000/RWE/PDL

Sheet	1	of	2
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Examiner initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	US6	4,962,126	10-09-1990	Drabek	
	US7	5,478,855	12-26-1995	Suzuki <i>et al.</i>	
	US8	5,610,122	03-11-1997	Fischer <i>et al.</i>	
	US9	5,830,825	11-03-1998	Fischer <i>et al.</i>	
	US10	5,945,444	08-31-1999	Fischer <i>et al.</i>	
	US11	5,994,274	11-30-1999	Fischer <i>et al.</i>	
	US12	6,051,723	04-18-2000	Fischer <i>et al.</i>	
	US13	6,110,872	08-29-2000	Lieb <i>et al.</i>	
	US14	6,114,374	09-05-2000	Lieb <i>et al.</i>	
	US15	6,140,358	10-31-2000	Lieb <i>et al.</i>	
	US16	6,251,830 B1	06-26-2001	Fischer <i>et al.</i>	
	US17	6,255,342 B1	07-03-2001	Lieb <i>et al.</i>	
	US18	6,288,102 B1	09-11-2001	Hagemann <i>et al.</i>	
	US19	6,316,486 B1	11-13-2001	Lieb <i>et al.</i>	
	US20	6,358,887 B1	03-19-2002	Fischer <i>et al.</i>	
	US21	6,417,370 B1	07-09-2002	Lieb <i>et al.</i>	
	US22	6,451,843 B1	09-17-2002	Lieb <i>et al.</i>	
	US23	6,458,965 B1	10-01-2002	Lieb <i>et al.</i>	
	US24	6,511,942 B1	01-28-2003	Lieb <i>et al.</i>	

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U.S. PATENT DOCUMENTS					
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	US25	6,589,976 B1	07-08-2003	Fischer <i>et al.</i>	
	US26	6,706,758 B2	03-16-2004	Fischer <i>et al.</i>	
	US27	6,762,183 B2	07-13-2004	Fischer <i>et al.</i>	
	US28	6,861,391 B1	03-01-2005	Fischer <i>et al.</i>	
	US29	6,893,651 B1	05-17-2005	Fischer <i>et al.</i>	
	US30	6,900,190 B2	05-31-2005	Fischer <i>et al.</i>	
	US31	6,933,261 B2	08-23-2005	Lieb <i>et al.</i>	
	US32	7,256,158 B2	08-14-2007	Lieb <i>et al.</i>	
	US33	7,361,653 B2	04-22-2008	Sakata <i>et al.</i>	
	US34	7,585,887 B2	09-08-2009	Fischer <i>et al.</i>	
	US35	7,718,706 B2	05-18-2010	Lieb <i>et al.</i>	
	US36	2003/0216260 A1	11-20-2003	Ruther <i>et al.</i>	
	US37	2007/0259787 A1	11-08-2007	Ohkawara	
	US38	2010/0168042 A1	07-01-2010	Funke <i>et al.</i>	
	US39	2010/0249070 A1	09-30-2010	Funke <i>et al.</i>	
	US40	2010/0256195 A1	10-07-2010	Fischer <i>et al.</i>	
	US41	2010/0292226 A1	11-18-2010	Funke <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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NON PATENT LITERATURE DOCUMENTS			
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	NPL5	BAUER, T.A., <i>et al.</i> , "Response of Selected Weed Species to Postemergence Imazethapyr and Bentazon," <i>Weed Tech.</i> 9:236-242, The Weed Science Society of America (1995)	
	NPL6	BLACKSHAW, R.E., "HOE-39866 Use in Chemical Fallow Systems," <i>Weed Tech.</i> 3:420-428, The Weed Science Society of America (1989)	
	NPL7	BLACKSHAW, R.E., "Synergistic Mixes of DPX-A7881 and Clopyralid in Canola (<i>Brassica napus</i>)," <i>Weed Tech.</i> 3:690-695, The Weed Science Society of America (1989)	
	NPL8	BLACKSHAW, R.E., <i>et al.</i> , "Herbicide Combinations for Postemergent Weed Control in Safflower (<i>Carthamus tinctorius</i>)," <i>Weed Tech.</i> 4:97-104, The Weed Science Society of America (1990)	
	NPL9	BLOUIN, D.C., <i>et al.</i> , "Analysis of Synergistic and Antagonistic Effects of Herbicides Using Nonlinear Mixed-Model Methodology," <i>Weed Tech.</i> 18:464-472, The Weed Science Society of America (2004)	
	NPL10	BRADLEY, P.R., <i>et al.</i> , "Response of Sorghum (<i>Sorghum bicolor</i>) to Atrazine, Ammonium Sulfate, and Glyphosate," <i>Weed Tech.</i> 14:15-18, The Weed Science Society of America (2000)	
	NPL11	BUKER, III, R.S., <i>et al.</i> , "Confirmation and Control of a Paraquat-Tolerant Goosegrass (<i>Eleusine indica</i>) Biotype," <i>Weed Tech.</i> 16:309-313, The Weed Science Society of America (2002)	
	NPL12	BURKE, I.C., <i>et al.</i> , "CGA-362622 Antagonizes Annual Grass Control with Clethodim," <i>Weed Tech.</i> 16:749-754, The Weed Science Society of America (2002)	
	NPL13	COLBY, S.R., "Calculating Synergistic and Antagonistic Responses of Herbicide Combinations," <i>Weeds</i> 15:20-22, Weed Society of America (1967)	
	NPL14	FLINT, J.L., <i>et al.</i> , "Analyzing Herbicide Interactions, A Statistical Treatment of Colby's Method," <i>Weed Tech.</i> 2:304-309, The Weed Science Society of America (1988)	

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	NPL15	GILLESPIE, G.R., and NALEWAJA, J.D., "Wheat (<i>Triticum aestivum</i>) Response to Triallate Plus Chlorsulfuron," <i>Weed Tech.</i> 3:20-23, The Weed Science Society of America (1989)	
	NPL16	GREEN, J.M., <i>et al.</i> , "Metribuzin and Chlorimuron Mixtures for Preemergence Broadleaf Weed Control in Soybeans, <i>Glycine max</i> ," <i>Weed Tech.</i> 2:355-363, The Weed Science Society of America (1988)	
	NPL17	HARKER, N.K., and O'SULLIVAN, P.A., "Synergistic Mixtures of Sethoxydim and Fluazifop on Annual Grass Weeds," <i>Weed Tech.</i> 5:310-316, The Weed Science Society of America (1991)	
	NPL18	KENT, L.M., <i>et al.</i> , "Effect of Ammonium Sulfate, Imazapyr, and Environment on the Phytotoxicity of Imazethapyr," <i>Weed Tech.</i> 5:202-205, The Weed Science Society of America (1991)	
	NPL19	KOTOULA-SYKA, E., <i>et al.</i> , "Interactions between SAN 582H and Selected Safeners on Grain Sorghum (<i>Sorghum bicolor</i>) and Corn (<i>Zea mays</i>)," <i>Weed Tech.</i> 10:299-304, The Weed Science Society of America (1996)	
	NPL20	LANCLOS, D.Y., <i>et al.</i> , "Glufosinate Tank-Mix Combinations in Glufosinate-Resistant Rice (<i>Oryza sativa</i>)," <i>Weed Tech.</i> 16:659-663, The Weed Science Society of America (2002)	
	NPL21	NORRIS, J.L., <i>et al.</i> , "Weed Control from Herbicide Combinations with Three Formulations of Glyphosate," <i>Weed Tech.</i> 15:552-558, The Weed Science Society of America (2001)	
	NPL22	NOVOSEL, K.M., <i>et al.</i> , "Metolachlor Efficacy as Influenced by Three Acetolactate Synthase-Inhibiting Herbicides," <i>Weed Tech.</i> 12:248-253, The Weed Science Society of America (1998)	
	NPL23	PALMER, E.W., <i>et al.</i> , "Broadleaf Weed Control in Soybean (<i>Glycine max</i>) with CGA-277476 and Four Postemergence Herbicides," <i>Weed Tech.</i> 14:617-623, The Weed Science Society of America (2000)	
	NPL24	RUMMENS, F.H.A., "An Improved Definition of Synergistic and Antagonistic Effects," <i>Weed Science</i> 23(1):4-6, The Weed Science Society of America, United States (1975)	

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	NPL25	SALZMAN, F.P., and RENNER, K.A., "Response of Soybean Combinations of Clomazone, Metribuzin, Linuron, Alachlor, and Atrazine," <i>Weed Tech.</i> 6:922-929, The Weed Science Society of America (1992)	
	NPL26	SCOTT, R.C., <i>et al.</i> , "Spray Adjuvant, Formulation, and Environmental Effects of Synergism from Post-Applied Tank Mixtures of SAN 582H with Fluazifop-P, Imazethapyr, and Sethoxydim," <i>Weed Tech.</i> 12:463-469, The Weed Science Society of America (1998)	
	NPL27	SHAW, D.R. and ARNOLD, J.C., "Weed Control from Herbicide Combinations with Glyphosate," <i>Weed Tech.</i> 16:1-6, The Weed Science Society of America (2002)	
	NPL28	SNIPES, C.E., and ALLEN, R.L., "Interaction of Graminicides Applied in Combination with Pyriithiobac," <i>Weed Tech.</i> 10:889-892, The Weed Science Society of America (1996)	
	NPL29	SUN, Y.-P. & JOHNSON, E.R., "Analysis of Joint Action of Insecticides against House Flies", <i>J. Econ. Entomol.</i> , 53:887-892, Journal of Economic Entomology, United States (1960)	
	NPL30	WEHTJE, G. and WALKER, R.H., "Interaction of Glyphosate and 2,4-DB for the Control of Selected Morningglory (<i>Ipomoea</i> spp.) Species," <i>Weed Tech.</i> 11:152-156, The Weed Science Society of America (1997)	
	NPL31	ZHANG, W., <i>et al.</i> , "Fenoxaprop Interactions for Barnyardgrass (<i>Echinochloa crus-galli</i>) Control in Rice," <i>Weed Tech.</i> 19:293-297, The Weed Science Society of America (2005)	
	NPL32	Office Action mailed February 16, 1993, in United States Patent Application No. 07/909,939, Fischer <i>et al.</i> , filed July 7, 1992	

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	NPL33	Office Action mailed May 3, 2004, in United States Patent Application No. 10/239,332, Fischer <i>et al.</i> , filed September 20, 2002	
	NPL34	Office Action mailed October 29, 2004, in United States Patent Application No. 10/239,332, Fischer <i>et al.</i> , filed September 20, 2002	
	NPL35	Office Action mailed November 14, 2003, in United States Patent Application No. 10/221,970, Fischer <i>et al.</i> , filed September 16, 2002	

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